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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,815	08/31/2001	Semir S. Haddad	01-S-017 (STMI01-00017)	1411
30425	7590	04/04/2006	EXAMINER	
STMICROELECTRONICS, INC. MAIL STATION 2346 1310 ELECTRONICS DRIVE CARROLLTON, TX 75006			DAVIS, CYNTHIA L	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/943,815	HADDAD, SEMIR S.
	Examiner	Art Unit
	Cynthia L. Davis	2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 1/23/2006.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 101***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 19-24 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to a recorded signal, which is non-statutory subject matter.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-12 and 23-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The independent claims recite that the structure is "capable of" certain actions, but does not require the structure to perform them. "Capable of" is not a positive limitation.

### ***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujinami.

Regarding claim 1, an Intra frame indexing device capable of receiving an incoming MPEG video stream and identifying therein data packets associated with Intra frames is disclosed in Fujinami, figure 13 and column 10, line 66-column 11, line 4 (the entry packet is a packet associated with an I-picture, which is the same as an Intraframe). A first data packet associated with a first Intra frame being modified to include location information identifying a storage address of second data packet associated with a second Intra frame is disclosed column 12, lines 10-15. Modifying header information to include the location information in a first data packet associated with a first Intra frame is not specifically disclosed in Fujinami. However, Fujinami discloses in figure 13 that the entry packet, which contains the location information, is always adjacent to and ahead of the video packet header of the I-picture in the video stream; this is equivalent to having the location information in the header of the video packet. It would have been obvious to one skilled in the art at the time of the invention to put the location information in the header of the packet. The motivation would be to have the location information in an easily accessible portion of the packet.

Regarding claim 2, said second Intra frame chronologically precedes said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 3, said second Intra frame chronologically follows said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 4, said location information comprises sequence information identifying a location of a video frame sequence containing said second Intra frame is disclosed column 12, lines 10-15.

Regarding claim 5, said video frame sequence containing said second Intra frame chronologically precedes a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 6, said video frame sequence containing said second Intra frame chronologically follows a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 7, a digital video recorder capable of playing back a recorded television program, a video processor capable of receiving an incoming television program and converting said incoming television program baseband video signal capable of being displayed on a television set coupled to said digital video recorder, and a storage disk capable storing said incoming television program is disclosed in column 1, lines 10-13 (disclosing recording a video signal) and column 9, lines 31-34 (disclosing providing a decoded output signal). An apparatus for implementing special mode playback operations, and an Intra Frame indexing device capable of receiving an incoming MPEG video stream and identifying therein data packets associated with Intra Frames is disclosed in Fujinami, figure 13 and column 10, line 66-column 11, line 4 (the entry packet is a packet associated with an I-picture, which is the same as an Intraframe). Where in said Intra Frame indexing device modifies a first data packet associated with a first Intra frame to include location information identifying a storage

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address on said storage disk of a second data packet associate with a second intra frame is disclosed column 12, lines 10-15. Modifying header information to include the location information in a first data packet associated with a first Intra frame is not specifically disclosed in Fujinami. However, Fujinami discloses in figure 13 that the entry packet, which contains the location information, is always adjacent to and ahead of the video packet header of the I-picture in the video stream; this is equivalent to having the location information in the header of the video packet. It would have been obvious to one skilled in the art at the time of the invention to put the location information in the header of the packet. The motivation would be to have the location information in an easily accessible portion of the packet.

Regarding claim 8, said second Intra frame chronologically precedes said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 9, said second Intra frame chronologically follows said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 10, said location information comprises sequence information identifying a location of a video frame sequence containing said second Intra frame is disclosed column 12, lines 10-15.

Regarding claim 11, said video frame sequence containing said second Intra frame chronologically precedes a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 12, said video frame sequence containing said second Intra frame chronologically follows a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 13, receiving the MPEG video stream and identifying the received MPEG video stream data packets associated with Intra frames is disclosed in Fujinami, figure 13 and column 10, line 66-column 11, line 4 (the entry packet is a packet associated with an I-picture, which is the same as an Intraframe). A first data packet associated with a first Intra frame being modified to include location information identifying a storage address of second data packet associated with a second Intra frame is disclosed column 12, lines 10-15. Modifying header information to include the location information in a first data packet associated with a first Intra frame is not specifically disclosed in Fujinami. However, Fujinami discloses in figure 13 that the entry packet, which contains the location information, is always adjacent to and ahead of the video packet header of the I-picture in the video stream; this is equivalent to having the location information in the header of the video packet. It would have been obvious to one skilled in the art at the time of the invention to put the location information in the header of the packet. The motivation would be to have the location information in an easily accessible portion of the packet.

Regarding claim 14, said second Intra frame chronologically precedes said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 15, said second Intra frame chronologically follows said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 16, said location information comprises sequence information identifying a location of a video frame sequence containing said second Intra frame is disclosed column 12, lines 10-15.

Regarding claim 17, said video frame sequence containing said second Intra frame chronologically precedes a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 18, said video frame sequence containing said second Intra frame chronologically follows a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 19, a plurality of data packets stored on a computer readable storage medium is disclosed in column 1, lines 10-13 (disclosing recording a video signal). A first data packet associated with a first Intra frame comprising location information identifying a storage address of second data packet associated with a second Intra frame is disclosed column 12, lines 10-15. The location information being in the packet header in a first data packet associated with a first Intra frame is not specifically disclosed in Fujinami. However, Fujinami discloses in figure 13 that the entry packet, which contains the location information, is always adjacent to and ahead of the video packet header of the I-picture in the video stream; this is equivalent to having the location information in the header of the video packet. It would have been obvious to one skilled in the art at the time of the invention to put the location information in the header of the packet. The motivation would be to have the location information in an easily accessible portion of the packet.

Regarding claim 20, said second Intra frame chronologically precedes said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 21, said second Intra frame chronologically follows said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 22, said location information comprises sequence information identifying a location of a video frame sequence containing said second Intra frame is disclosed column 12, lines 10-15.

Regarding claim 23, said video frame sequence containing said second Intra frame chronologically precedes a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

Regarding claim 24, said video frame sequence containing said second Intra frame chronologically follows a video frame sequence containing said first Intra frame is disclosed column 12, lines 10-15.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia L Davis whose telephone number is (571) 272-3117. The examiner can normally be reached on 8:30 to 6, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CLD  
3/30/2006

CD  
3/30/06

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